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Attorney for Defendant

JOSE LOPEZ ZAMORA

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE GUADALUPE LOPEZ-ZAMORA,
LEONARDO FLORES BELTRAN,
CHRISTIAN ANTHONY ROMERO,
JOAQUIN ALBERTO SOTELO VALDEZ,
ERIKA GABRIELA ZAMORA ROJO, JOSE
LUIS AGUILAR SAUCEDO, and ROSARIO
ZAMORA ROJO,

Defendants.

Case No.: 2:21-cr-007 DAD

STIPULATION AND [PROPOSED] ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Date: June 27, 2023

Time: 9:00 a.m.

Court: Hon. Dale A. Drozd

Plaintiff United States of America by and through Assistant United States Attorney David
Spencer, and Attorney Todd Leras on behalf of Defendant Jose Lopez Zamora, Attorney

Christopher Cosca on behalf of Defendant Leonardo Flores Beltran, Attorney Kresta Daly on

behalf of Defendant Christian Romero, Attorney Michael Long on behalf of Defendant Joaquin

ORDER CONTINUING STATUS
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1 Sotelo Valdez, Attorney Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney
2 Dina Santos on behalf of Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of
3 Defendant Rosario Zamora Rojo, stipulate as follows:
4

- 5 1. This matter is set for a status conference on June 27, 2023. Defendants move to
6 continue the status conference to September 26, 2023.
- 7 2. This case alleges the existence of a drug distribution conspiracy involving, among
8 other substances, fentanyl, cocaine, and methamphetamine. The Drug Enforcement
9 Administration's investigation included controlled purchases of various controlled
10 substances and the use of Court-authorized wiretaps on telephones associated with the
11 drug distribution conspiracy, including a phone being used to coordinate deliveries
12 from Mexico.
- 13 3. This matter has been reassigned three times (ECF Entry 226 – from Judge England to
14 Judge Mendez; ECF Entry 317 – from Judge Mendez to Judge Nunley; and ECF
15 Entry 357 – from Judge Nunley to this Court). On March 3, 2022, the United States
16 filed a Superseding Indictment (ECF Entry 276). The Superseding Indictment
17 included, among other changes from the original Indictment, expansion of the date
18 range for the charged conspiracy by approximately one year. It also added a money
19 laundering conspiracy and heroin distribution charges.
- 20 4. On October 11, 2022, Attorney Martin Tejeda filed a Motion to Withdraw as Counsel
21 of Record for Defendant Erika Zamora Rojo (ECF Entry 382). This Court heard and
22 granted the motion to withdraw on October 25, 2022. (ECF Entry 393). The Court
23 granted a substitution request allowing Attorney Jennifer Mouzis to represent
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25
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1 Defendant Erika Zamora Rojo as appointed counsel in this matter on December 5,
2 2022. (ECF Entry 408).

- 3
- 4 5. The discovery in this case is voluminous. The government provided several rounds
5 of discovery productions which included approximately 7,800 pages of reports,
6 transcripts, photographs, and other materials produced during the investigation. The
7 intercepted telephone calls alone comprise hundreds of hours of conversations
8 between various participants in both English and Spanish. On January 19, 2023, this
9 Court approved the appointment of Discovery Coordinating Attorney John C. Ellis to
10 assist with the discovery materials produced by the government. (ECF Entry 426).
- 11
- 12 6. During the first week of March 2023, Mr. Ellis produced to defense counsel flash
13 drives containing the complete discovery materials (the “March 2023 production”)
14 produced to date along with various tools to assist defense counsel with accessing
15 them. The March 2023 production allowed access to additional materials which
16 expanded the volume of discovery to approximately 55,500 pages of material. Mr.
17 Ellis provided a training session to defense counsel to provide instruction in how to
18 access and manage various case materials within the March 2023 production.
- 19
- 20 7. This case is “complex” within the meaning of 18 U.S.C. § 3161(h)(7)(A), (B)(ii)
21 [Local Code T-2], as this Court previously found in its February 10, 2021 Order (ECF
22 Entry 103) and subsequent orders.
- 23
- 24 8. Defendants Lopez Zamora is housed at the Yuba County Jail in Marysville,
25 California. Defendant Sotelo Valdez is housed at the Wayne Brown Correctional
26 Facility (WBCF) in Nevada City, California. The Yuba County Jail is approximately
27

forty-two miles from downtown Sacramento, while the distance to WBCF is approximately sixty-five miles. Attorney travel for client visits is therefore a necessary part of discovery review and defense preparation in this case. In addition, both the Yuba County Jail and WBCF restrict when attorneys can use electronic devices to access audio and video evidence during client meetings. These restrictions complicate review of recorded portions of the discovery with Mr. Lopez Zamora and Mr. Sotelo Valdez.

9. All defense counsel require additional time to continue review of the discovery materials with their respective clients and to conduct defense investigation stemming from them.
10. Given the continuing defense review of the discovery materials and investigation of matters related to them, including those materials accessible following the March 2023 production, Defendants request to continue the status conference to September 26, 2023. They further move to exclude time between June 27, 2023 and September 26, 2023, inclusive, under Local Code T-4. The government does not oppose the request.
11. All defense counsel represent and believe that failure to grant additional time as requested would deny Defendants the reasonable time necessary for effective preparation, considering the exercise of due diligence.
12. Based on the above-stated facts, Defendants jointly request that the Court find that the ends of justice served by continuing the case as requested outweigh the best interest of the public and the Defendants in a trial within the time prescribed by the Speedy

Trial Act.

13. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of June 27, 2023 to September 26, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and (B) (iv) [Local Code T-4] and 18 U.S.C. § 3161(h)(7)(A), and B (ii) [Local Code T-2] because it results from a continuance granted by the Court at Defendants' request on the basis that the ends of justice served by taking such action outweigh the best interest of the public and the Defendants in a speedy trial.

14. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Assistant U.S. Attorney David Spencer, Attorney Christopher Cosca on behalf of Defendant Leonardo Flores Beltran, Attorney Kresta Daly on behalf of Defendant Christian Romero, Attorney Michael Long on behalf of Defendant Joaquin Sotelo Valdez, Attorney Jennifer Mouzis on behalf of Defendant Erika Zamora Rojo, Attorney Dina Santos on behalf of Defendant Jose Aguilar Saucedo, and Attorney Shari Rusk on behalf of Defendant Rosario Zamora Rojo, have reviewed this stipulation and proposed order and authorized Todd Leras via email to sign it on behalf of their respective clients.

DATED: June 21, 2023

PHILLIP A. TALBERT
United States Attorney

By /s/ Todd D. Leras for
DAVID SPENCER
Assistant United States Attorney

ORDER CONTINUING STATUS
CONFERENCE

1 DATED: June 21, 2023

2 By /s/ Todd D. Leras
3 TODD D. LERAS
4 Attorney for Defendant
JOSE LOPEZ ZAMORA

5 DATED: June 21, 2023

6 By /s/ Todd D. Leras for
7 CHRISTOPHER COSCA
8 Attorney for Defendant
LEONARDO FLORES BELTRAN

9 DATED: June 21, 2023

10 By /s/ Todd D. Leras for
11 KRESTA N. DALY,
12 Attorney for Defendant
CHRISTIAN ROMORO

13 DATED: June 21, 2023

14 By /s/ Todd D. Leras for
15 MICHAEL D. LONG,
16 Attorney for Defendant
JOAQUIN SOTELO VALDEZ

17 DATED: June 21, 2023

18 By /s/ Todd D. Leras for
19 JENNIFER MOUZIS
20 Attorney for Defendant
ERIKA ZAMORA ROJO

21 DATED: June 21, 2023

22 By /s/ Todd D. Leras for
23 DINA SANTOS
24 Attorney for Defendant
JOSE AGUILAR SAUCEDO

25 DATED: June 21, 2023

26 By /s/ Todd D. Leras for
27 SHARI RUSK
28 Attorney for Defendant
ROSARIO ZAMORA ROJO

ORDER CONTINUING STATUS
CONFERENCE

ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for June 27, 2023, is vacated. A new status conference is scheduled for September 26, 2023, at 9:00 a.m. The Court further finds, based on the representations of the parties and the request of all defense counsel, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendants in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), (B)(iv) [Local Code T-4] and 18 U.S.C. § 31616(h)(A), (B)(ii) [Local Code T-2], to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from June 27, 2023, up to and including September 26, 2023.

IT IS SO ORDERED.

DATED: _____, 2023

HONORABLE DALE A. DROZD
UNITED STATES DISTRICT JUDGE

ORDER CONTINUING STATUS
CONFERENCE